THE HON'BLE MR JUSTICE GODA RAGHURAM

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WRIT PETITION NO : 2957 of 2006

DATED 16.02.2006

Between:

Fresh Water Entertainment

..... PETITIONER

AND

Central Board of Film Certification

Ministry of Information & Broad Casting

.....RESPONDENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

–

WRIT PETITION NO : 2957 of 2006

ORDER:

The petitioners' grievance is that the respondent is not receiving its application for issuance of a censor certificate for its Telugu feature film " Party".

The petitioner submitted the film for certification after completing the formalities, on 10.02.2006. The respondent is alleged to be refusing even to physically receive the application for certification. The petitioner pleads urgency for release of the film.

The respondent is a regulatory authority, who is obligated to consider films for certification. It cannot refuse to physically receive the application for grant of a censor certificate. To do so would be to abdicate responsibility. It is bound to receive an application. After receiving an application the respondent is required to dispose of the application and take a decision in accordance with law. If the application itself is defective, even so the respondent is bound to receive the same and return the same pointing out the defects, which disentitle the application to be considered even on merits.

For the aforesaid reasons, the writ petition is disposed of directing the respondent to forthwith receive the application of the petitioner for certification

of the Telugu feature film “Party” submitted on 10.02.2006 and consider or dispose of the application on merits including on a threshold satisfaction as to the admissibility of the application, expeditiously.

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16-02-2006

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